

TEMKIN WIELGA & HARDT LLP

1900 Wazee Street, Suite 303
Denver, CO 80202

Joseph G. Middleton
Direct: (303) 382-2906
middleton@twhlaw.com

Phone: (303)292-4922
Fax: (303)292-4921
www.twhlaw.com

April 24, 2013

**CONFIDENTIAL RULE 408
SETTLEMENT COMMUNICATION**

Via U.S. Mail and email

Heidi K. Hoffman
U.S. Department of Justice
Environment & Natural Resources Div.
Denver Place Bldg. – South Terrace
999 18th Street, Suite 370
Denver, CO 80202

Re: CoCa Mines, Inc.; Gilt Edge Mine Superfund Site

Dear Heidi:

Thank you for DOJ's presentation last Friday regarding the Gilt Edge site. We particularly appreciate DOJ's and EPA's willingness to share the information the agencies have used to develop their understanding of the site and the facts relevant to our settlement discussions. To follow up from our meeting, I am providing you with a list of the documents we would like to obtain in order to round out our own understanding.

In our meeting, I believe you mentioned that one of the other PRPs, Cyprus Mines Corporation ("Cyprus"), had requested that DOJ provide a specific set of documents to facilitate its own settlement discussions. Our essential request is that you provide us with that same set of documents. In addition, and only to the extent not included in the documents provided to Cyprus, we are requesting that DOJ and EPA provide the following:

1. All spreadsheets, in native format, which support DOJ's/EPA's allocation of responsibility for response costs;
2. The "MINTEC database" produced in GIS or other electronic format;
3. All indexes of the 400 abandoned boxes of documents left at the site and discussed in DOJ's April 19, 2013 Presentation (the "DOJ Presentation");


4. All responses by other parties to 104(e) information requests for the Gilt Edge site;
5. All documents supporting the equitable value placed on work done by Brohm and the "Old Timers" (*see* DOJ Presentation at 43);
6. All documents related to Congdon & Carey Ltd., and Congdon & Carey Lt. 5;
7. All data describing site hydrology and geochemistry, including:
 - a. Any water balance data or calculations, including precipitation rates, measurements of surface water flows, and pit water and groundwater level measurements;
 - b. the interaction between groundwater and surface water at the Site;
 - c. any acid-base accounting data or calculations;
 - d. any information regarding groundwater and surface water chemistry;
 - e. electronic databases containing groundwater level measurements and groundwater and surface water chemistry data, including spatial coordinates and reference elevations for measurement and sampling locations.
8. All documents supporting DOJ's/EPA's chronology of historic mining activities between 1964 and 1982;
9. All documents describing drill hole plugging and materials used for plugging and related inspection reports;
10. EPA's Site File Index;
11. EPA's NPL listing package;
12. Any documents related to the assertion that, in 1993, Hecla Mining, on CoCa Mines' behalf, terminated several lease agreements that CoCa Mines had entered into related to the Creede Venture property (*see* DOJ Presentation at 32);
13. Any documents supporting DOJ's assertion that Hecla Mining Company paid CoCa's legal fees (*see* DOJ Presentation at 34);
14. Any documents related to CoCa's alleged claim to a management fee for its participation in the Cactus Mining Venture (*see* DOJ Presentation at 35);
15. Any documents related to Hecla Mining Company's alleged claim to a management fee for its participation in the Cactus Mining Venture (*see* DOJ Presentation at 35);
16. Any maps of pre-mining and post-mining topography for the site, in an electronic format and preferably with a 10-foot (or less) contour interval;
17. Any maps of underground workings in an electronic format; and,

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18. Any documents or databases which describe the volume or tonnage of overburden, waste rock and ore mined by specific operators or for specific time periods.

Of course, please contact me if you have any questions regarding the documents we have requested.

Sincerely,



Joseph G. Middleton

JGM/gg
cc: Andrea Madigan, Esq. (via email)